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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
SCHUBERT, KEVIN R	
ART UNIT	**PAPER NUMBER**
2137	

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/916,607	CAMBRIDGE, RODNEY D.	
	Examiner	Art Unit	
	Kevin Schubert	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 July 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5-10,14-16,19,20,24-26,28,29,31 and 33-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1,3,5-10,14-16,19,20,24-26,28,29,31 and 33-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1,3,5-10,14-16,19-20,24-26,28-29,31, and 33-38 have been considered.

Claim Objections

Claim 5 is objected to because of the following informalities: the claim should depend on claim 3, not claim 43. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1,3,5-9,16,19,26,28-29,31, and 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odagiri, U.S. Patent Application Publication No. 2001/0007817, in view of Henrie, U.S. Patent No. 6,804,699, in further view of Uppunda, U.S. Patent No. 6,678,728.

As per claims 1 and 29, the applicant describes a handheld security system comprising the following limitations which are met by Odagiri in view of Henrie in further view of Uppunda:

a) a Bluetooth-enabled control unit having a range of communications (Odagiri: [0009],[0043]);

b) a Bluetooth-enabled device, wherein the device is registered with the control unit such that the device cooperates with the control unit using Bluetooth communications to determine when the device is within range of communications of the control unit, wherein when it is determined that the device is within the range of communications of the control unit, the device is functional, and when it is determined that

the device is not within the range of communications of the control unit, the device is at least partially non-functional (Odagiri: [0009], [0043], [0085]);

c) wherein the device is configured to periodically send an identifying signal to the control unit and the control unit is configured to send a return signal to the device when the identifying signal is received by the control unit (Henrie: Col 11, lines 28-65);

d) wherein when the device is at least partially non-functional, the device is configured to continue periodically sending the identifying signal to the control unit (Uppunda: Col 1, lines 20-34);

Odagiri discloses limitations a) and b). Odagiri also discloses the idea that if a portable device is deemed lost or stolen based on it being outside a predetermined vicinity of the control unit, the portable device can become non-functional [0085]. However, Odagiri fails to disclose that an identifying signal is sent periodically.

Henrie discloses a similar security system between a portable computing system, such as a PDA or a mobile phone, and a web site on a server, in which the devices can communicate through Bluetooth communication (Col 5, lines 11-18). Henrie also discloses the idea that the portable device periodically sends an identifying signal to the control unit, or web site on the server. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Henrie with those of Odagiri because sending an identifying signal periodically provides an automated, consistent method of keeping track of a device.

Odagiri in view of Henrie disclose all the limitations of parts a),b), and c). However, Odagiri in view of Henrie fail to disclose that "when the device is at least partially non-functional, the device is configured to continue periodically sending the identifying signal to the control unit". This limitation is met by Uppanda.

Uppanda discloses the idea that when a device is at least partially non-functional, such as when the device is in a sleep state, the device may be programmed to continue periodically sending an identifying signal (Col 1, lines 32-34). This allows the device to continue to alert another device in the network of its presence even when the device is in a sleep state. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Uppanda with those of

Odagiri in view of Henrie because doing so allows the device to continue to send an identifying signal even when the device is at least partially non-functional so as to continue to alert the control unit of its presence in the network.

Regarding claim 29, the applicant discloses a claim identical to claim 1 with the exception that WiFi is used instead of Bluetooth. As noted in paragraph [0043] of Odagiri, Bluetooth is just an example of the type of wireless communication which can be used.

As per claims 3 and 31, the applicant describes the handheld security system of claims 1 and 29, which are met by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Odagiri:

Wherein the device includes a lockout interface, wherein when the device does not receive the return signal in response to the identifying signal, the device is not within range of communications of the control unit and the lockout interface locks out the device and causes the device to be at least partially non-functional (Odagiri: [0069] and [0070]).

As per claims 5 and 33, the applicant describes the handheld security system of claims 3 and 31, which are met by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Henrie:

Wherein when the device receives the return signal, the lockout interface unlocks the device and causes the device to be functional (Henrie: Col 11, lines 42-50; Col 12, lines 21-27).

As per claim 6, the applicant describes the handheld security system according to claim 1, which is met by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Odagiri:

Wherein the device is exclusively registered with the control unit (Odagiri: [0009]).

As per claim 7, the applicant describes the handheld security system according to claim 1, which is met by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Odagiri:

Wherein the control unit is configured to produce an alert when it is determined that the device is not within the range of communications of the control unit (Odagiri: [0013 (last four lines)]).

As per claims 8,9, and 28, the applicant describes the handheld security system according to claims 7,1, and 26, which are met by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Odagiri in view of Henrie:

Wherein the control unit includes a display, the display being configured to display information associated with the device when it is determined that the device is not within the range of communications of the control unit (Odagiri: [0013]; Henrie: Col 12, lines 8-12).

Odagiri discloses the idea of alerting a user when it is determined that the device is not within range of communications of the control unit. However, Odagiri is silent as to how the user is alerted. Henrie discloses the idea of alerting the user visually through a display. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Odagiri in view of Henrie because alerting a user through a display is an effective way to alert a user.

As per claims 16 and 26, the applicant describes a method for executing a security protocol with respect to at least a first Bluetooth-enabled device and a second Bluetooth-enabled device, the method comprising the following limitations which are met by Odagiri in view of Henrie in further view of Uppanda:

a) determining when a first Bluetooth transmission signal is received from the second Bluetooth-enabled device, wherein the second Bluetooth-enabled device automatically and periodically emits the first Bluetooth transmission signal (Henrie: Col 11, lines 28-65);

b) emitting a second Bluetooth transmission signal when it is determined that the first Bluetooth transmission signal is received from the second Bluetooth-enabled device (Odagiri: [0013]);

c) generating an alarm to indicate that the second Bluetooth-enabled device is not with a communications range of the first Bluetooth-enabled device when it is determined that the first Bluetooth transmission signal is not received from the second Bluetooth-enabled device (Odagiri: [0013] and [0063]);

d) wherein after the generation of the alarm, the second Bluetooth-enabled device is configured to continue periodically emitting the first Bluetooth transmission signal to the first Bluetooth-enabled device (Henrie: Col 11, lines 28-65; Uppanda: Col 1, lines 20-34).

As per claim 19, the applicant describes the method of claim 16, which is met by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Odagiri:

Determining when the second Bluetooth-enabled device is registered with the first Bluetooth-enabled device, wherein emitting the second Bluetooth transmission signal when it is determined that the first Bluetooth transmission signal is received from the second Bluetooth-enabled device includes emitting the second Bluetooth transmission signal when it is determined that the second Bluetooth-enabled device is registered with the first Bluetooth-enabled device (Odagiri: [0009]).

As per claim 34, the applicant describes the handheld security system according to claim 1, which is anticipated by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Henrie:

Wherein the device includes a display, the display being configured to display a message that warns that the device is at least one of lost and stolen, when the device is at least partially non-functional (Henrie: Col 12, lines 8-12).

As per claim 35, the applicant describes the handheld security system according to claim 1, which is anticipated by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Henrie:

Wherein the device includes a display, the display being configured to display contact information that is capable of being used by someone who locates the device to identify an owner of the device, when the device is at least partially non-functional (Henrie: Col 12, lines 8-12).

As per claims 36 and 37, the applicant describes the handheld security system according to claim 1, which is anticipated by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Henrie:

Wherein the device is configured to periodically send the identifying signal utilizing a period of at least one hour for accommodating an owner who rarely leaves a particular area (Henrie: Col 11, lines 31-35);

According to Henrie, "the user can configure the portable computer system such that it is necessary for the device to make contact with the Web site on a periodic basis, at an interval specified according to user preferences" (Col 11, lines 31-35).

As per claim 38, the applicant describes the handheld security system according to claim 1, which is anticipated by Odagiri in view of Henrie in further view of Uppanda, with the following limitation which is met by Uppanda:

Wherein the device is configured to periodically send the identifying signal as long as the device has access to power (Uppanda: Col 1, lines 20-40).

Claims 10,15,20, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henrie in view of Uppanda.

As per claims 10 and 20, the applicant describes a method for executing a security protocol for a first Bluetooth-enabled device with respect to a second Bluetooth-enabled device comprising the following limitations which are met by Henrie in view of Uppanda:

a) periodically emitting a first Bluetooth transmission signal from the first Bluetooth-enabled device (Henrie: Col 11, lines 28-35);

b) determining if a second Bluetooth transmission signal is received from the second Bluetooth-enabled device (Henrie: Col 11, lines 42-65);

c) locking out the first Bluetooth-enabled device to at least partially prevent the first Bluetooth-enabled device from functioning if it is determined that the second Bluetooth transmission signal is not received, wherein the first Bluetooth-enabled device periodically emits the first Bluetooth transmission signal while being locked out (Uppanda: Col 1, lines 20-34);

As per claim 15, the applicant describes the method of claim 10, which is met by Henrie in view of Uppanda, with the following limitation which is also met by Henrie:

Operating the first Bluetooth-enabled device if it is determined that the second Bluetooth transmission signal is received (Henrie: Col 11, lines 45-50).

As per claim 25, the applicant describes the first device according to claim 20, which is met by Henrie (see above), with the following limitation which is also met by Henrie:

Wherein the Bluetooth-enabled mechanism is a Bluetooth-enabled radio (Col 5, lines 11-18). Bluetooth-enabled radio is met by "Bluetooth wireless connections".

Claims 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henrie in view of Uppanda in further view of Parker, U.S. Patent Application No. 2002/0078393.

As per claims 14 and 24, the applicant describes the method of claims 10 and 20, which are met by Henrie in view of Uppanda, with the following limitation which is met by Parker:

Displaying information on a screen of the first Bluetooth-enabled device which indicates that the first Bluetooth-enabled device is locked out (Parker: [0007]; 406 of Fig 4);

Henrie discloses displaying information on a screen when a device is locked out (Col 12, lines 8-12). Henrie does not disclose that the information indicates that the device is locked out. Parker discloses the idea of displaying a message on the screen to alert a user that the device is locked out. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Parker with those of Henrie in view of Uppanda because displaying a lock out message on a device screen allows the user to know that the device is locked out.

Response to Arguments

Applicant's arguments, see Appeal Brief filed 7/7/05, with respect to claims 1,10,16,20,26, and 29 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to claims 14 and 24 have been fully considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to claims 5,15,25, and 33 have been fully considered but they are not persuasive. The applicant argues that Henrie does not teach that the device is functional when the device receives a return signal (see applicant's remarks, top of page 17). The examiner disagrees. Henrie teaches that when the return signal is received the device normal operation is enabled in the device (Col 11, lines 45-50).

Applicant's arguments with respect to claim 6 have been fully considered but they are not persuasive. The applicant argues that Odagiri does not teach exclusively registering the device with a control unit. The examiner disagrees. Odagiri discloses assigning a device to a control unit so that communication can take place between the two devices [0009]. The device communicates with only one control unit.

Applicant's arguments with respect to claims 8,9, and 28 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to claim 34 have been considered but are not persuasive. The applicant argues that Henrie does not disclose alerting a user that the device is one of lost and stolen when the device is at least partially non-functional. The examiner disagrees. Henrie discloses that when the device is at least partially non-functional (locked out) it displays a message indicating the authorized owner of the device. When a party other than the authorized user reads the message, the other party is informed that the device is lost and/or stolen and belongs to the authorized party.

Conclusion

This action is made non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KS

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER